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Historical Notes Relating to
the Second Settlement
of Worcester

BY

LINCOLN N. KINNICUTT



American Antiquarian Society

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the Second Settlement
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HISTORICAL NOTES RELATING TO THE SECOND SETTLEMENT OF WORCESTER

BY LINCOLN N. KINNICUTT

While recognizing the wide field which is offered to the American Antiquarian Society for its research, and also recognizing that a small stream in Worcester is perhaps of comparatively little importance, nevertheless I venture to offer to the Society a very early document in relation to Mill Brook, which, in Colonial days, was sometimes called Mill River, Fort River, Swift River, Danson Brook and Bimelek. This brook and the Blackstone River (of which it is one of the sources) from the time that Worcester was known only as the Plantation of Quinsigamond, have been important factors in the city's history.

Mill Brook rises among the hills northwest of Worcester, flows through North Pond and Salisbury Pond to Lincoln Square. It then continues through the very heart of the city, east of Main Street and somewhat parallel to it. Here it is mostly covered, but on its former banks throughout its whole course, are situated most of the largest manufacturing corporations of the city.

The document is the original petition to the General Court, dated December 14, 1685 and, as stated, is signed by the "grater number of the Inhabitants now settled in the town of Woster," one year and a quarter after the second settlement of the town was begun. These signatures are historically valuable, as they give authentic proof of actual settlers at this date, and if the statement therein contained was true, it

places the whole number of settlers at less than twenty. With its quaint orthography and remarkable spelling, it is a little difficult to translate into modern English, but it reads as follows:

“Woster this 14 of desember 1685

“Wee whos nams are vnder Reten being the gratest number of the Inhabetanc now setelled in the town of woster haueing consedered And ben Ey witnese of the grat expenc that mr John wing has ben At in belding hes mills which is moch for oure benefet And convenienc And of letell profet to him nor lik to be yet Awhill: as Allso his hellpfullnes in oure poglek Concernments And forderanc of the setellmet of this town: we doe Aprove of his Choyce of that trak of land lying from [] Corner of the setedell And wheare it dos begin And Runn up on the westery sid of the mill rever tel it met the north pond tho this being more then his forst devission yet that he oft in All Justes to poses the remainder As his acome [] that he may haue all the land on that sid of the brok as his propriety that no persen may dam Aboue him to hender his mills: as Allso wee farder lok At it to be his right for As moch As seauer[al] of vs doe know that Captain Hinkeman did promis this Lokt of land to said wing a year and [] before Euer garg dansen saw this pl[] of that land as Allso be[cause] som of vs woled [] som of oure deuistions of lan d theare but Captain hin[ke]man toulld vs that we colld not for he had promes that land to Cap wing And we haue Euer cenc looked At it to be his only thet it was not mesered to him but we looked it shold haue ben don in convenient tim it is oure desires that such uncomfortabell dif[erences] may be put to An End And that this land may be setelled vpon Cap wing youres in all sobiecktion

“William x Wekes

his mark

Thomas Allerton

Isaac Bull

James homes

Isaac Tomlin

Gorgs Rosbrowgh

William^h pers

his mark”

Thomas Hall

Pe. Goulding Sen

Digory Sargent

The name of William Pers does not elsewhere appear among the lists of inhabitants.

The most important signature is that of Digory Sargent, whose name is perhaps more closely associated with the early history of Worcester, with the exception of the founders, than any other. His story has been told many times. Although the name

has been given by almost all writers as "Serjent," and it is so written in his will dated March 17, 1696,¹ we find here his earliest known signature written "Sargent." He was the last inhabitant to desert the second attempt to form a settlement and he was obliged to, when he was killed and scalped by the Indians in 1703.

This petition had much weight in the first law-suit pertaining to this stream—Danson vs. Wing in 1685, and both stream and law-suits have flowed along together ever since, blessed by the lawyers and damned by the mill owners.

In following the course of this trial we find pertaining to it the names of three men all of whom filled positions of trust and honor in the Colony: Major General Gookin, called the Father of Worcester, Captain Daniel Henchman and Captain John Wing, both of whom were valuable assistants to Major Gookin in the early work of the settlement of the town, each in his turn taking the leadership and general direction of the second attempt at settlement, until its abandonment in 1703.

The whole story of the Mill Brook dispute is contained in a paper read before the Worcester Society of Antiquity, May 6, 1884, by Francis E. Blake, and is included in their Proceedings. A short synopsis is as follows: In October, 1684, Captain John Wing was appointed a member of the Committee having charge of the Plantation of Quinsigamond—six days afterwards the General Court granted the petition for having the Plantation named Worcester. In a general agreement by the committee, April 24, 1684, three lots were to be granted to "The builders and mainteyners of a Sawmilne" and a like number for "a grist milne."² On May 22, 1685, John Wing was granted ten eighteen acre lots, six of which were for

¹ Lincoln's History of Worcester, p. 36.

² Proprietors' Records, p. 38.

his mills; also eighteen hut lots "upon part whereof his dwelling house and barne now standeth," and additional land was also granted to him on Mill Brook "with the privilege of the Mill Brooke only to him and to his heirs."³ All this land with all the privileges was confirmed July 9, 1686. The confirmation reads as follows:

"All the Grants aboue expesed are confirmed to Capt John Wing & his heires and assignes forr euerr; By the Comitte of the Honble Presedent & Councel impowred thervnto by this order dated June 11 1686 don at the meeting of Said Comitte at Boston July 9th 1686 & Signed by

DANIEL GOOKIN Sen
THOMAS PRENTICE
WILLIAM BOND
JOSEPH LYND &
JOHN HAYNES. (4)

These grants were surveyed in November, 1714, by David Haynes, a report made and a plan drawn showing this part of Captain John Wing's land on Mill Brook.⁵

Shortly after this grant to Captain John Wing there was granted to George Danson of Boston, a baker, two hundred acres of land bounded on the east by Mill Brook and on the South by Captain John Wing's land, and a little later Danson was granted forty acres more adjoining the first grant.⁶ This was the beginning of the trouble, for Captain John Wing wanted the remainder of the land on Mill Brook, and from much evidence given at the trial it would seem that Captain Daniel Henchman had given him some right to expect that he would have it.

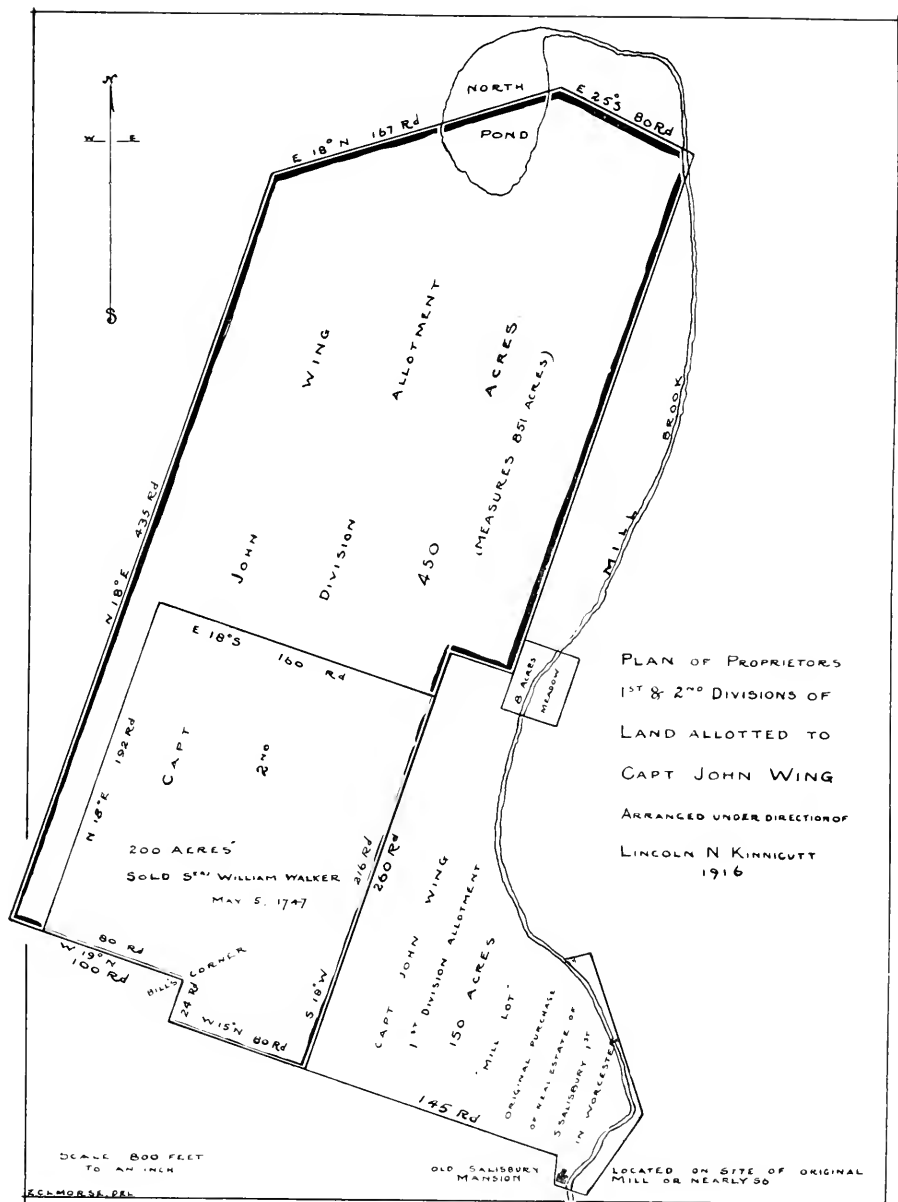
October 2, 1685, while George Danson was surveying his first grant, he claimed that he was assaulted by Captain John Wing and "confederators," the

³ Proprietors' Records, p. 42.

⁴ Proprietors' Records, p. 43-44.

⁵ Proprietors' Records, p. 125.

⁶ Proprietors' Records, p. 44.



PLAN OF WILLIAM WALKER ESTATE
SHOWING PRESENT LOCATION OF
AMERICAN ANTIQUARIAN SOCIETY
ARRANGED UNDER THE DIRECTION OF
LINCOLN N KINNICUTT 1916

N
— E —
S

WESTERN BOUNDARY OF CAMP JOHN KING'S 2ND ALLOTMENT.

ST. ALPHONSE'S ST.

METCALVE AVENUE

DANIEL STREET

PARK AVENUE

ROAD SET OFF

VIOLE HILL ROAD

ABOUT 60 ACRES

ABOUT 55 ACRES

ABOUT 25½ ACRES

SET OFF TO COUNTY

SET OFF TO ISABEL (WALKER) WIFE OF JAMES QUIGLEY

JOSEPH WALKER

THE WIDOW

BANKROFT TOWER

HANGY WALKER (BROOKS)

MAY MARY WALKER (DAUGHTER)

SOLD TO TIMOTHY PAINE

SHAWING PARTITION OF WILLIAM WALKER'S ESTATE BY WILL PROBATED JUNE 10, 1760

BY WILL PROBATED JUNE 16, 1760

EC L MONSE DR

bound marks were cut and surveyor's chain was taken away, and he also claimed that his title to the land was defamed.⁷ In this trial much testimony was taken, and one of the most interesting and important documents was an affidavit signed by Daniel Henchman on October 5, 1685, only two days before his death and three days after the assault, stating that he had received from Mr. Danson £5, 10 s, "in settlement for twenty lots and the land where he had situated, he, Daniel Henchman, had not disposed of to any other person or promised the same—or was it in his power so to do, and the molestation given him, George Danson, was unjust." The trial resulted in the confirmation of George Danson's title to the land but with the stipulation that he should not "erect any corne mil or saw mill vpon mil Brook," or in any way interfere with Captain Wing's privileges on the stream.

This quarrel probably embittered the last days of Captain Daniel Henchman, who died almost two months before the trial began. He had given many years of his life in attempting to form the settlement, for from 1668, with the exception of Major General Gookin, he had been the most active member of the Committee for settlement of the plantation. From 1683, when the second attempt was begun, he practically had full management of its affairs until his death, Oct. 15, 1685, just one year after the name of Worcester had been given to the plantation. He had full power to grant land and to assign locations to settlers, and his plan to make the center, in the neighborhood of the present Lincoln Square and along that part of Mill Brook near the Square, was adopted. Until this controversy began he apparently was the honored and accepted leader, but now he found his leadership disputed, his integrity questioned and his popularity waning. Samuel Sewall

⁷ Court files of Middlesex County.

wrote in his diary under date of October 19, 1685, "About Nine aclock at night News comes to Town of Capt. HENCHMAN'S Death at Worcester last Thorsday; buried on Friday. Very few at his Funeral, his own Servants, a white and black, carried him to, and put him in his Grave. His Wife and children following him and no more, or but one or two more." His burial place is unknown and unmarked. The City of Worcester has honored his memory and paid tribute to his great ability and worth by giving the name of HENCHMAN to a very short street, the location of which is probably unknown to a great majority of the inhabitants of the City. A sad ending for one who had held many offices of honor and trust in the Colony and who had proved himself a brave soldier in King Philip's war and an able leader in the founding of our City!

On the death of Captain HENCHMAN, Captain JOHN WING became the leader of the new settlement, and his exclusive right to the use of Mill Brook being confirmed, as a result of this controversy, he apparently increased his ownership of land in the immediate vicinity of the Brook. This was accomplished by purchase and by allotment. Also, a few years later, after George Danson's death, he obtained possession of the 400 acres on Mill Brook about which there had been all this controversy. How this was accomplished is, I believe, unknown. Evidently he was a man possessing much executive ability, foresight and perhaps what now would be named political sagacity, for there is a strong probability that he had planned to become the leading spirit of the small community before Captain HENCHMAN's death and had certainly convinced the majority of the settlers, as shown by this petition, that he had a strong and just grievance against Captain HENCHMAN. In 1675 Captain WING served as ensign in a Company of Foot, of which DANIEL HENCHMAN was Commander, and in 1683 he succeeded to Captain HENCHMAN'S position.⁸

⁸ Colony Records, vol. 5, p. 33, Shurtleff, vol. 5, p. 419.

We obtain a little insight of the character of Captain Wing, of his independence and of his self confidence, through a document signed by him, now in the possession of this Society. It is an answer to advice given him by Mr. Joseph Dudley in relation to having the title of his lands in Worcester confirmed, after Governor Andros had declared all lands granted under former government forfeited to the crown. A copy of Captain Wing's deposition is as follows:

Boston in New England this 30th of January 1689

This Deposition of John Winge aged fifty three years or thereabouts testefyeth that in the yeare 1687 & 88 the Deponant had suffered Damage & was much disturbed by George Danson by severall suites in law concerning a tract of land lying within the bounds of the Towne of Worchester, which the deponant with others had a deed of sale for from the Heires of sd land and grantes from the Generall Courte of the Colony of the Massa—tusetts and in quiet possession of sd land but being disturbed sundry times by sd George Danson the Deponant went to Mr Joseph Dudleys house in Roxsbury to ask his advice what might be done that these trouble might be at an end. The Deponant told sd Dudley that he had already attended the methods and rules according to the lawes and orders of the Coloney for settling of lands. The sd Dudley told sd Deponant that he must goe to Sr Edm^d Andros and take a Patent of all my lands as else I must not expect to enjoy them, using many arguments and perswasions with me saying that all men must patent y^r lands from Sr Edm^d Andros. The deponent asked sd Dudley what then would become of the Grantees of y^e Generall Courte if now we must be put to this trouble and charge to take Patents for our lands, as by soe doing how would our titles be made better, or how long would this title last when another Governor would come, he might also say we must take new patents from him: No, sd Dudley, then y^r title will be good, but the Deponent thought his title from the Generall Courte as good as Sr Edm^d Andros could make it by his Patent & much better therefore thought not fitt to take the advice sd Dudley gave him, & this sd Dudley did urge sd Deponant severall times in the yeares above mentioned, and further sayth not

JOHN WING.

John Wing personally appeared before mee this 30th January 1689/90 & made oath to y^e truth of what is above written as alleges.

JA RUSSELL. Assist.

Mr. Danson, to make sure of his title, thought best to apply for a new confirmation, which was granted.

Under Captain Wing's leadership the affairs of the settlement appear to have run smoothly for a short time, but the Puritan independence of character, if that is the right name for it, seemed to exist too much among the early settlers of Worcester for the settlement's own good and for the harmony of the Colony, as in 1692 Captain Wing found in his turn that his authority and proceedings were being questioned. Another petition was sent to the Governor, signed by six of the settlers, one of whom was Thomas Allerton whose name appears on the petition of 1685, praying permission to have a second garrison which would be nearer to their own homes, Captain Wing's garrison being two miles distant. A letter was written about this time stating that the greater number of the settlers were opposed to the new commander of the garrison, who had been appointed by Captain Wing.

These dissensions probably retarded the growth of the settlement. There were sales of land by some of the first settlers who preferred to live elsewhere, and Captain Wing himself, apparently, after 1692, seems to have lost much of his personal interest, as he was in Worcester but very little of his time. He, however, retained most of his original land and probably added to his holdings.

As Worcester was dropped from the list of frontier towns in 1699, the settlers could no longer depend on assistance from the government in their protection from the Indians, who, about this time, had become very troublesome. This action of the Government is a little difficult to understand, unless the lack of harmony among the settlers themselves may have influenced their action. It resulted in the second attempt at settlement being abandoned, not to be renewed until 1713, and the place was once more deserted.

Capt. John Wing died in 1703 leaving by will to his wife a life interest in nearly all of his real estate in Worcester, which, at her death, was to go to his son Cord. Captain Wing's wife, Joshabeth, died a few years after her husband, and his son came into possession of the property. In 1717, Cord Wing of Boston, only surviving son of Capt. John Wing, conveyed to Thomas Palmer of Boston, John Oulton of Marblehead, Cornelius Waldo of Boston, all of his right, title and interest whatever of and in all the property left to him in Worcester by his Father. On July 31, 1727, the three grantees, who apparently were the original believers in the future value of real estate in Worcester, made a division of a portion of the real estate held by them in common, they having purchased other large tracts of land in various parts of the settlement. They divided their holdings into three portions and drew lots. Lot number one was drawn by Cornelius Waldo.⁹ His part consisted of all the land in the vicinity of Mill Brook which was owned by Captain Wing at his death, including the buildings, mill, pond and stream and all belonging to the same. This probably amounted to about 1,000 acres. Under date of October 10, 1718, in the Record of Proprietors, page 124, is found a plan and description of this land, signed by David Haynes, surveyor. It is interesting to note that Cornelius Waldo was the great, great, great grandfather and Governor Levi Lincoln the great grandfather of the President of this Society, and that each once owned the property upon which our building stands.

On April 22, 1771, Joseph Waldo, son of Cornelius Waldo, conveyed to John Hancock a certain farm in Worcester of 150 acres, and on November 5 of the same year John Hancock conveyed the same described premises to the first Stephen Salisbury. This was the land in the vicinity of Lincoln Square and included

⁹ Middlesex Co. Records, Book 31, p. 187

the location of the Old Salisbury Mansion with the grounds about it, and was the site of Capt. John Wing's mills, referred to in this petition. The mansion with its surrounding grounds Stephen Salisbury, 3d, bequeathed by will to this Society.

On May 5, 1747, Cornelius Waldo sold to William Walker a certain part of the Wing property which included our present location. During the last one hundred and fifty years there has been much subdivision of this tract, but in 1770 Timothy Bigelow of Worcester bought a certain part of it and half of our building occupies a portion. In 1773 he purchased another division of the land on which the other half of the building is erected and the whole of our present location after one other transfer was sold to Gov. Levi Lincoln, May 10, 1793. He devised it to his son William who, in turn, sold it to Stephen Salisbury, 2d, May 23, 1833. Stephen Salisbury, 3d, inheriting from his father, bequeathed it to the Worcester Art Museum who exchanged it with the American Antiquarian Society for the mansion location, giving to the Antiquarian Society other valuable considerations.

The Salisbury family for three generations gradually accumulated, mostly by purchase, piece after piece of Capt. John Wing's original holdings, and at the death of Stephen Salisbury, 3d, the greater portion of this large farm had come once more into the possession of one individual. Mr. Salisbury bequeathed nearly the whole of this estate to the Worcester Art Museum.

It is a strange coincidence that this ancient document, found by accident in New York by one of your own members, Mr. Richard Ward Greene, who gave me the opportunity to acquire it, should, upon investigation, tell us so much about the particular lot of land which we now occupy and also should tell us so much about the early origin of Worcester's well known amiability.

If one of the results of the law suit in which this petition plays an important part had not been that Capt. John Wing was given the exclusive right in the waters of Mill Brook north of Lincoln Square, he probably would neither have retained the land he then held nor have had an incentive to acquire more. His farm would naturally have been divided much earlier and have passed into other hands.

In 1901 the late Mr. Charles A. Chase contributed an interesting and valuable paper to the Society, entitled "Land Titles of the American Antiquarian Society" and concluded by giving the abstracts of titles of our former locations, the Summer Street lot and the Court Hill lot. I have endeavored to complete the record and I give the abstracts of titles of our present and what we believe will be our permanent home.

ABSTRACTS OF TITLES

Honnawannonit Sagamore of Pakachoag and Woonashocku Sagamore of Tataessit for their kindred and people to Daniel Gookin, Senior, and Daniel Hinchman and the rest of the General Courts Committee a tract of land eight miles square, in consideration of twelve pounds of lawful money of New England. July 13, 1674. Middlesex Reg. of Deeds, Book 8, p. 317.

Wannarshawakum and other Indians the same described land to Daniel Gookin, Daniel Hinchman and the General Committee in consideration of "trucking Cloath," Dec. 6, 1677. Middlesex Reg. of Deeds, Book 8, p. 318.

May 22, 1685, Proprietors of Worcester to Captain John Wing eighteen ten acre planting lots, three lots of Thomas Baker with 180 acres ***** bounded on the East by Mill Brook. Also "eighteen hut lott upon part whereof his house & Barne now standeth," also "ten rods of land round where his mills standeth." Also "for a second division of land for farme lots in due proportion ***** the particular quantity of which farme lots cannot yet be well known" Proprietors Records, pp. 42, 43.

February 24, 1703, by will. Captain John Wing to his wife Joshabeth, during life and then to his son Cord Wing. Suffolk Registry of Probate, Book 15, p. 122 and Book 17, p. 182.

May 21, 1717, Cord Wing to Thomas Palmer, John Oulton

and Cornelius Waldo all his interest whatsoever his father possessed, situate within the Township of Worcester and in all future divisions of land allotted to him. Middlesex Records, Book 18, p. 403.

October 10, 1718, pursuant to a grant for a second division in Worcester by the Honorable Committee appointed for granting land laid out to Thomas Palmer Esquire, Messrs. John Oulton and Cornelius Waldo *** four hundred and fifty acres with allowance for North Pond *** and one acre in thirty for swag of chain in full of land to be allotted to Captain John Wing in second division (On this second allotment is our present location). Records of the Proprietors, p. 124.

January 31, 1727, Thomas Palmer, John Oulton and Cornelius Waldo made a division of their joint holdings, drawing lots for the partition, and lot number one, drawn by Cornelius Waldo, included all that great farm which belonged to Captain John Wing in the vicinity of Mill Brook. Middlesex Records, Book 27, pp. 14, 19, 26, 31, 32, 62, 66.

The following records taken from the Worcester District Registry of Deeds and Probate Records complete the chain of title.

Cornelius Waldo to William Walker, May 5, 1747, Book 24, page 33.

William Walker Estate. Case 61478 A. Will allowed June 16, 1760.

Decree allowing partition, April 5, 1762. Probate Records.

Robert and Mary (Walker) Oliver to Timothy Bigelow, May 1, 1770, Book 63, page 22. Warranty deed about $18\frac{1}{2}$ acres, consideration, five pounds eight shillings.

Joseph and Nancy (Walker) Brooks to Timothy Bigelow, January 6, 1773, Book 79, page 461. Warranty deed about $18\frac{1}{4}$ acres, consideration, twenty-five pounds and eight shillings. This deed was not recorded until September 21, 1778.

Timothy Bigelow to Nathan Patch, March 6, 1789, Book 105, page 543. Warranty deed about $36\frac{1}{2}$ acres.

Nathan Patch to Levi Lincoln, May 10, 1793, Book 123, page 609. Warranty deed 32 acres, 89 rods. The date 1793 on the acknowledgment of this deed appears to have been an error as the instrument was drawn May 1, 1795, and was recorded November 23, 1795.

Levi Lincoln Estate. Case 37345A. Will allowed May 2, 1820. The Patch place was devised to son William. Probate Records.

William Lincoln to Stephen Salisbury, 2d., May 23, 1833, Book 292, page 63. Warranty deed 31 acres, 101 rods.

Stephen Salisbury Estate, CASE 3541 B. Will allowed September 23, 1884. Devised all his real estate to his son

Stephen. Probate Records. Stephen Salisbury, 3d., Estate, Case 36817 B. By will dated December 30, 1896, and codicil dated June 28, 1904, the Worcester Art Museum as residuary legatee came into possession of this particular piece of real estate on the allowance of the will, January 24, 1906.

Worcester Art Museum to American Antiquarian Society, June 23, 1908. Book 1881, p. 544.

Worcester Art Museum to American Antiquarian Society, October 21, 1912. Book 2013, p. 89.

DEED OF JUNE 23, 1908

Know all men by these presents:

That the Worcester Art Museum, a corporation duly established by law in the City and County of Worcester and Commonwealth of Massachusetts, in consideration of One Dollar and other valuable considerations to it paid by the American Antiquarian Society, a corporation duly established by law in said Worcester, the receipt whereof is hereby acknowledged, does hereby remise, release and forever quitclaim unto the said American Antiquarian Society a certain tract or parcel of land, situate in said Worcester, bounded and described as follows, to wit:

Beginning at a point indicated by a stone bound set in the ground at the intersection of the westerly line of Park Avenue with the southerly line of Salisbury Street;

Thence southerly on the westerly line of Park Avenue three hundred twenty-six and twenty-seven one-hundredths (326.27) feet to a point indicated by a stone bound set in the ground on the westerly line of Park Avenue;

Thence by a right angle to the last described line one hundred two and sixty-six one-hundredths (102.66) feet by other land of grantor to a point indicated by a stone bound set in the ground at an angle;

Thence deflecting $3^{\circ}14'$ to the right and continuing by other land of grantor one hundred three and one-half (103.5) feet to a point on the easterly line of Regent Street indicated by a stone bound set in the ground; the last described line being at right angles to Regent Street at the incicated point;

Thence northerly on the easterly line of Regent Street one hundred eighty and twelve one-hundredths (180.12) feet, and by a curve to the right the radius of which is one hundred forty-nine (149) feet continuing on the easterly line of Regent Street two hundred twenty-five and sixty-four one-hundredths (225.64) feet, and by a tangent to the curved line last mentioned forty-seven and eight one-hundredths (47.08) feet to the point of beginning, containing fifty-nine thousand, eight hundred and thirty-four (59,834) square feet area.

This conveyance is made subject to the express restrictions which are a part of the consideration therefore,

That no building or part of a building shall be placed on the above described tract of land nearer than fifteen (15) feet of any street line during the full term of twenty (20) years from and after the first day of April, 1899.

And that said lot is to be used only for the erection of buildings to be occupied by said Society during said term of twenty (20) years and that a building is to be erected within five (5) years from the date hereof.

To have and to hold the granted premises with all the privileges and appurtenances thereto belonging to the said American Antiquarian Society and its successors and assigns, to its and their own use and behoof forever.

And the Worcester Art Museum does hereby for itself and its successors and assigns covenant with the said grantee and its successors and assigns that the granted premises are free from all incumbrances made or suffered by it and that it will and its successors and assigns shall warrant and defend the same to the said grantee and its successors and assigns forever against the lawful claims and demands of all persons claiming by through or under it, but against none other.

In witness whereof the said Worcester Art Museum by Lincoln N. Kinnicutt, its Treasurer, hereunto duly authorized, hereunto sets its hand and seal this twenty-third day of June in the year one thousand nine hundred and eight.

Worcester Art Museum (Seal)

by LINCOLN N. KINNICUTT, Treas.

Commonwealth of Massachusetts

Worcester, ss. June 23, 1908. Then personally appeared the above-named Lincoln N. Kinnicutt, Treasurer, as aforesaid, and acknowledged the foregoing instrument to be the free act and deed of the Worcester Art Museum, before me,

T. H. GAGE, Jr., Justice of the Peace.

Rec'd July 1, 1908, at 11h. 14m. A. M. Ent'd & Ex'd.

(Recorded in Worcester District Registry of Deeds, Book 1881, p. 544).

DEED OF OCTOBER 21, 1912

Know all men by these presents:

That the Worcester Art Museum, a corporation duly established by law in the City and County of Worcester and Commonwealth of Massachusetts, in consideration of One Dollar and other valuable considerations to it paid by the American Antiquarian Society, a corporation duly estab-

lished by law in the same Worcester, the receipt whereof is hereby acknowledged, does hereby remise, release and forever quitclaim unto the said American Antiquarian Society, a certain tract or parcel of land situate in said Worcester and bounded and described as follows, to wit:—

Beginning at a hole drilled into the top of a stone bound set in the ground on the westerly line of Park Avenue and the northeast corner of the premises hereby conveyed and at the southeast corner of other land of grantee as described in a deed of the grantor to the grantee dated June 23, 1908 and recorded in Book 1881, Page 544 at the Worcester County, Registry of Deeds;

Thence westerly at a right angle to the said westerly line of Park Avenue and by said other land of grantee one hundred two and sixty-six hundredths (102.66) feet to a point;

Thence deflecting to the right 3° and 14' and continuing westerly by said other land of grantee one hundred three and fifty hundredths (103.50) feet to a point on the easterly line of Regent Street which point is the northwest corner of the tract of land hereby conveyed and the southwest corner of said other land of grantee;

Thence southerly on the said easterly line of Regent Street ninety (90) feet to a hole drilled into the top of a stone bound set in the ground at the northwest corner of land of one Richey;

Thence easterly by the northerly line of said land of said Richey and at a right angle to the said easterly line of Regent Street one hundred six and four hundredths (106.04) feet to a hole drilled into the top of a stone bound set in the ground at an angle;

Thence deflecting to the left 3° and 14' continuing easterly one hundred five and twenty hundredths (105.20) feet by other land of grantor to a point on the westerly line of Park Avenue where the last described line intersects the said westerly line of Park Avenue at a right angle;

Thence northerly on the westerly line of Park Avenue eighty nine and ninety-nine hundredths (89.99) feet to the point of beginning, containing eighteen thousand seven hundred and eighty-one (18,781) square feet area; the same being a part of the Estate of the late Stephen Salisbury.

This conveyance is made under the express condition and as a part of the consideration therefor, that the tract of land hereby conveyed shall be the same and is hereby made a part of the tract of land adjoining on the north, conveyed to the grantee by deed of the grantor dated and recorded as above mentioned, thus constituting two tracts one and the same tract of land and thereby subject as one tract to all conditions restrictions and reservations made and stipulated in

the said deed of the grantor dated June 23, 1908 and recorded in the Worcester County Registry of Deeds, Book 1881, page 544.

To have and to hold the granted premises with all the privileges and appurtenances thereto belonging to the said American Antiquarian Society and its successors and assigns, to its and their own use and behoof forever.

And the Worcester Art Museum does hereby for itself and its successors and assigns covenant with the grantee and its successors and assigns that the granted premises are free from all incumbrances made or suffered by it and that it will and its successors and assigns shall warrant and defend the same to the said grantee and its successors and assigns forever against the lawful claims and demands of all persons claiming by, through or under it, but against none other.

In witness whereof the said Worcester Art Museum by Lincoln N. Kinnicutt, its Treasurer, hereunto duly authorized, hereunto sets its hand and seal this twenty-first day of October in the year one thousand nine hundred and twelve.

Worcester Art Museum (seal)

by LINCOLN N. KINNICUTT, Treas.

Commonwealth of Massachusetts

Worcester ss. October 21, 1912. Then personally appeared the above named Lincoln N. Kinnicutt, Treasurer as aforesaid, and acknowledged the foregoing instrument to be the free act and deed of the Worcester Art Museum, before me,

F. H. DEWEY, Justice of the Peace.

At a meeting of the Executive Committee of the Worcester Art Museum held October 9, 1912, it was unanimously voted to sell to the American Antiquarian Society eighteen thousand, seven hundred and eight-one (18,781) square feet of land adjoining the American Antiquarian Society's lot on the south and extending through from Park Avenue to Regent Street.

A true copy,

Attest:—

T. H. GAGE, Clerk

Rec'd Nov. 12, 1912 at 10h. 59m. A. M. Ent'd & Ex'd.

In preparing this paper I have been greatly indebted to a fellow member, Mr. Franklin P. Rice, for I have followed the example set by the Hon. George Frisbie Hoar, who, in an important law case, asked permission of the Court to use Mr. Rice's transcript of the Records of The Proprietors of Worcester in place of

the original—which was granted. To Mr. Ellery B. Crane, Librarian of The Worcester Society of Antiquity, I am also greatly indebted for the use of a remarkable map drawn by himself, of the Worcester of 1713. It shows the division of the land to each original settler, with each original allotment designated by name. He, having only the Proprietors Records of measurements to consult, has joined the various allotments together and made a complete whole. To Mr. E. C. L. Morse I am also under much obligation for surveying and drawing plans for me of Capt. John Wing's original allotments of land. His careful work has established certain old historical land marks, boundaries and traditions.

The incidents which I have described are all centered about Mill Brook and it certainly was and is a wonderful stream. It is stated that, from its source in Holden until it flows into the sea at Providence, in comparison to its length and volume it has been and is the hardest worked stream of water in New England and possibly in the country.

Two hundred and thirty-one years ago, as this handwriting of our ancestors tells us, it ground the corn and sawed the lumber for the inhabitants of Worcester, and ever since it has contributed its aid in manufacturing almost everything necessary for their personal use. Its contributions to manufacturing products used over the whole world, which it ambitiously tried to send to the ocean by its own power, have been of immense value, and today, while giving all this aid to Worcester, it gives to the towns on its banks below, much that Worcester can spare and generously relinquishes.



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